

106-7962

TAC:MTC

(ARDC # 3122259)

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

FRANCINE B. WARD and MICHAEL)
A. WARD)

Plaintiffs,)

Case No.: 08 C 148

v.)

TRANSWORLD SYSTEMS, INC.,)

Defendant.)

**DEFENDANT'S AMENDED ANSWER AND AFFIRMATIVE DEFENSE TO
PLAINTIFF'S COMPLAINT**

NOW COMES the Defendant, TRANSWORLD SYSTEMS, INC., by and through its counsel, BULLARO & CARTON, P.C., and in amended answer to the plaintiff's complaint states as follows:

1. Defendant admits the allegations contained in paragraph 1.
2. Defendant admits the allegations contained in paragraph 2.
3. Defendant denies the allegations contained in paragraph 3 and demands strict proof thereof.
4. Defendant admits that they are unable to issue a paid in full letter to the plaintiff. Further answering, Defendant lacks sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations regarding when or whether the Plaintiff's check cleared its bank, and hence denies said allegations. Still further answering, Defendant denies the remaining allegations contained in paragraph 4 and

demands strict proof thereof.

WHEREFORE, the Defendant, TRANSWORLD SYSTEMS, INC., denies that the Plaintiff is entitled to recover any sum whatsoever of and from this Defendant, and requesting trial by jury, prays the entry of judgment in favor of this defendant and against the plaintiff with costs and charges in this behalf expended and have execution therefor.

AFFIRMATIVE DEFENSE

Plaintiff is not entitled to any relief and cannot obtain a judgment against the Defendant because the purported violation was not intentional and resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid such error, as set forth in 15 USCA §1692k(c).

WHEREFORE, this Defendant, prays for judgment in accordance with this Affirmative Defense.

Respectfully submitted,

BULLARO & CARTON, P.C.

By s/Thomas A. Carton
Thomas A. Carton

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on February 7, 2008, a copy of the foregoing was served via U.S. Postal Service from 200 N. LaSalle Street, Chicago, Illinois to: Michael A. Ward and Francine B. Ward, 1423 Northwoods Drive, Deerfield, IL 60015.

Dated: February 7, 2008

BULLARO & CARTON, P.C.
By: s/Thomas A. Carton
Thomas A. Carton